

THIRTY THIRD DAY**MORNING SESSION**

Senate Chamber, Olympia
Friday, February 15, 2019

The Senate was called to order at 10:07 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present with the exceptions of Senators Fortunato and Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Mr. Riley Kuh and Mr. Aram Matagi, presented the Colors. Page Mr. Nicholas Duncan led the Senate in the Pledge of Allegiance. The prayer was offered by Rabbi Yosef Schtroks of the Chabad Jewish Center of Olympia.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 14, 2019

SB 5077 Prime Sponsor, Senator Kuderer: Prohibiting single-use plastic straws. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5077 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Hobbs; Liias; McCoy and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Rivers and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wellman.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5135 Prime Sponsor, Senator Rolfes: Preventing toxic pollution that affects public health or the environment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet and Rivers.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5156 Prime Sponsor, Senator Hunt: Concerning diaper changing stations at restaurants. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 14, 2019

ESB 5165 Prime Sponsor, Senator Saldaña: Concerning discrimination based on citizenship or immigration status. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5305 Prime Sponsor, Senator Van De Wege: Concerning electric utility wildland fire prevention. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5305 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5352 Prime Sponsor, Senator Walsh: Concerning the Walla Walla watershed management pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5352 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser;

Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Ways & Means.

February 14, 2019

SB 5391 Prime Sponsor, Senator Zeiger: Requiring the disclosure of drug production in improved residential real property sales. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5391 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Ericksen.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5432 Prime Sponsor, Senator Dhingra: Concerning fully implementing behavioral health integration for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations; and making technical corrections related to the behavioral health system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5432 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Bailey; Billig; Carlyle; Conway; Darneille; Keiser; Liias; Palumbo; Pedersen; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Hasegawa; Hunt; Rivers; Schoesler and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5438 Prime Sponsor, Senator McCoy: Concerning the H-2A temporary agricultural program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5438 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and

Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5478 Prime Sponsor, Senator Liias: Concerning restraints on persons engaging in lawful professions, trades, or businesses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5478 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Walsh.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5492 Prime Sponsor, Senator Billig: Sentencing of motor vehicle-related felonies. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5503 Prime Sponsor, Senator Das: Concerning state board of health rules regarding on-site sewage systems. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5515 Prime Sponsor, Senator Walsh: Concerning certain public facilities district's authorization to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

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SB 5522 Prime Sponsor, Senator Takko: Providing code cities with the ability to annex unincorporated areas pursuant to a jointly approved interlocal agreement with the county. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5522 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5545 Prime Sponsor, Senator Das: Concerning sustainable recycling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5545 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Lias; Palumbo; Pedersen; Rivers; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Schoesler; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Becker.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5557 Prime Sponsor, Senator Lias: Concerning seismic hazard risk reduction. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5557 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Ways & Means.

February 26, 2019

SB 5605 Prime Sponsor, Senator Nguyen: Concerning misdemeanor marijuana offense convictions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Lias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without

recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Rivers; Schoesler and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 14, 2019

ESB 5616 Prime Sponsor, Senator Rivers: Manicuring for diabetics. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wellman.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5621 Prime Sponsor, Senator Warnick: Increasing the jurisdictional amount for small claims courts. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5621 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5649 Prime Sponsor, Senator Dhingra: Adjusting the statute of limitations for sexual assault. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5666 Prime Sponsor, Senator Sheldon: Modifying the types of off-road vehicles subject to local government regulation. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5666 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without

recommendation. Signed by Senator Lovelett.

Referred to Committee on Transportation.

February 14, 2019

SB 5679 Prime Sponsor, Senator Hasegawa: Concerning the mitigation of public facilities in certain cities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5740 Prime Sponsor, Senator Mullet: Creating the secure choice retirement savings program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5740 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Schoesler.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5811 Prime Sponsor, Senator Nguyen: Reducing emissions by making changes to the clean car standards and clean car program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown; Rivers and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Sheldon, Assistant Ranking Member, Energy & Technology and Hobbs.

Referred to Committee on Rules for second reading.

February 14, 2019

SJM 8005 Prime Sponsor, Senator Short: Supporting the continued research, development, production, and application of biochar from our forests and agricultural lands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9093 JEFFREY BRECKEL, reappointed on August 14, 2017, for the term ending July 15, 2021, as Member of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9132 MICHAEL S. SHIOSAKI, reappointed on January 1, 2018, for the term ending December 31, 2020, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9134 THEODORE R. WILLHITE, reappointed on January 1, 2018, for the term ending December 31, 2020, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9219 DEBORAH COOK, appointed on September 25, 2018, for the term ending June 17, 2023, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9259 MICHAEL S. LATIMER, reappointed on December 3, 2018, for the term ending December 31, 2024, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

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MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

Referred to Committee on Rules for second reading.

SB 5919 by Senators Lovelett, Nguyen, Dhingra, Hawkins, Randall, Frockt and Das

AN ACT Relating to creating a San Juan Islands stewardship special license plate; amending RCW 46.18.200, 46.17.220, and 46.68.420; and adding a new section to chapter 46.04 RCW.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5492 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means; and Senate Bill No. 5666 which had been designated to the Committee on Rules and was referred to the Committee on Transportation.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

SB 5920 by Senators Conway, Bailey, Keiser and Schoesler

AN ACT Relating to firefighters and law enforcement officers pension and disability boards; amending RCW 41.16.010, 41.16.020, 41.18.015, 41.20.010, and 41.26.030; and reenacting and amending RCW 41.18.010 and 41.26.110.

MESSAGES FROM THE HOUSE

Referred to Committee on Ways & Means.

February 14, 2019

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1020,
- SUBSTITUTE HOUSE BILL NO. 1028,
- HOUSE BILL NO. 1055,
- HOUSE BILL NO. 1066,
- HOUSE BILL NO. 1133,
- ENGROSSED HOUSE BILL NO. 1175,
- HOUSE BILL NO. 1176,
- HOUSE BILL NO. 1187,
- HOUSE BILL NO. 1208,
- SUBSTITUTE HOUSE BILL NO. 1244,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1428,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

SB 5921 by Senators Conway, Walsh, Keiser, Braun, Darneille, Zeiger, Becker, Hunt and Brown

AN ACT Relating to community respite services for people with developmental disabilities; adding a new section to chapter 43.20A RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

February 14, 2019

MR. PRESIDENT:

The Speaker has signed

SENATE CONCURRENT RESOLUTION NO. 8402, and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

SB 5922 by Senators Conway, Walsh, Keiser, Braun, Darneille, Zeiger, Becker, Hunt and Brown

AN ACT Relating to community engagement and community guide services for people with developmental disabilities; adding a new section to chapter 43.20A RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

SB 5923 by Senators Hobbs and King

AN ACT Relating to establishing an emergency loan program to be administered by the county road administration board; amending RCW 36.78.070; reenacting and amending RCW 43.79A.040; adding new sections to chapter 36.78 RCW; and creating a new section.

Referred to Committee on Transportation.

INTRODUCTION AND FIRST READING

I 1000 by People of the State of Washington Concerning diversity, equity, and inclusion.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5924 by Senators Bailey, Becker, Warnick, Walsh, Rivers, Hasegawa, Brown, Conway, King, Palumbo, Rolfes, Wagoner, Padden, Holy, Honeyford, Zeiger and Van De Wege

AN ACT Relating to requiring proof of auto insurance to be shown upon vehicle registration and renewal; and amending RCW 46.16A.040 and 46.16A.110.

Referred to Committee on Transportation.

SB 5918 by Senators Lovelett, Warnick, Van De Wege, Conway, Hasegawa, Hobbs, King, Wilson, C., Randall, Nguyen, Dhingra, Frockt, Hawkins, Billig and Das

AN ACT Relating to providing whale watching guidelines in the boating safety education program; and amending RCW 79A.60.630.

SB 5925 by Senators Fortunato, Schoesler, Rivers, Padden and Wagoner

AN ACT Relating to renaming the department of revenue as the department of taxation; amending RCW 6.13.090,

6.13.090, 9.41.100, 9.41.110, 9.41.135, 9.46.070, 11.08.170, 11.08.180, 11.08.185, 11.08.200, 11.08.210, 11.08.220, 11.08.230, 11.08.240, 11.08.250, 11.08.260, 11.08.300, 11.44.015, 11.76.220, 11.76.240, 11.76.245, 14.08.122, 15.100.040, 15.100.050, 15.100.100, 18.11.085, 18.11.095, 18.16.050, 18.16.175, 18.27.030, 18.27.390, 18.300.020, 18.300.070, 19.02.020, 19.02.050, 19.02.115, 19.02.210, 19.94.015, 19.240.080, 19.305.010, 19.305.030, 19.305.040, 19.305.060, 19.365.010, 19.370.060, 22.28.040, 22.28.060, 23.90.040, 24.03.220, 24.06.260, 26.23.065, 28A.150.400, 28A.150.412, 28C.04.420, 30A.22.200, 34.05.010, 34.05.030, 34.05.110, 34.05.328, 34.05.422, 35.21.392, 35.42.090, 35.90.010, 35.100.050, 35.101.052, 35.101.090, 35.102.040, 35.102.1301, 35A.21.340, 36.21.011, 36.21.015, 36.21.100, 36.35.140, 36.38.020, 36.57A.210, 36.57A.224, 36.100.040, 36.100.090, 36.102.070, 36.120.050, 38.52.510, 39.08.010, 39.08.030, 39.12.100, 39.26.010, 39.88.070, 39.100.010, 39.100.040, 39.102.020, 39.102.040, 39.102.210, 39.102.220, 39.104.020, 39.104.100, 39.104.150, 40.07.070, 42.56.390, 43.05.140, 43.06.400, 43.06.455, 43.06.465, 43.06.466, 43.06.475, 43.06.490, 43.07.200, 43.07.390, 43.08.290, 43.09.475, 43.10.067, 43.17.010, 43.31C.020, 43.42A.010, 43.62.040, 43.136.035, 43.136.075, 43.136.080, 43.330.737, 43.365.040, 44.28.805, 44.73.015, 46.12.560, 46.12.650, 46.12.695, 46.37.427, 46.68.124, 46.68.250, 46.70.021, 46.70.101, 46.71.090, 46.85.060, 47.01.412, 47.46.060, 48.31.155, 49.48.086, 50.04.140, 50.04.145, 50A.04.010, 51.08.181, 51.08.195, 53.08.090, 54.16.425, 54.28.040, 54.28.050, 54.28.055, 54.28.125, 57.08.005, 59.18.312, 59.18.595, 59.30.010, 59.30.020, 60.28.011, 60.28.021, 60.28.051, 60.28.060, 63.29.135, 63.29.230, 63.29.350, 63.29.380, 66.08.150, 66.20.370, 66.24.010, 66.24.620, 67.28.200, 69.07.210, 69.43.035, 69.50.375, 69.50.535, 69.51A.230, 70.93.180, 70.94.161, 70.94.162, 70.94.483, 70.95.510, 70.95.515, 70.95C.220, 70.105D.070, 70.108.140, 70.155.120, 70.157.010, 70.158.020, 74.04.014, 74.08A.350, 74.20A.020, 76.09.040, 76.09.240, 76.13.120, 76.13.160, 79.100.170, 79.100.180, 81.100.030, 81.100.070, 81.104.190, 81.112.360, 82.01.050, 82.01.060, 82.01.070, 82.01.100, 82.02.010, 82.02.210, 82.03.130, 82.03.150, 82.03.160, 82.03.190, 82.04.020, 82.04.090, 82.04.44525, 82.04.447, 82.04.450, 82.08.0201, 82.08.0266, 82.08.02665, 82.08.0268, 82.08.0273, 82.08.060, 82.08.080, 82.08.090, 82.08.100, 82.08.120, 82.08.160, 82.08.811, 82.08.820, 82.08.890, 82.12.010, 82.12.024, 82.12.0256, 82.12.045, 82.12.070, 82.12.811, 82.14.048, 82.14.0485, 82.14.0494, 82.14.050, 82.14.070, 82.14.370, 82.14.390, 82.14.400, 82.14.415, 82.14.430, 82.14A.020, 82.16.0495, 82.16.0497, 82.16.055, 82.16.120, 82.16.165, 82.18.060, 82.18.080, 82.19.010, 82.19.030, 82.21.050, 82.23B.010, 82.24.030, 82.24.090, 82.24.110, 82.24.120, 82.24.180, 82.24.190, 82.24.210, 82.24.520, 82.24.560, 82.26.090, 82.27.060, 82.27.070, 82.29A.010, 82.29A.020, 82.29A.040, 82.29A.050, 82.29A.060, 82.29A.070, 82.29A.080, 82.29A.130, 82.29A.135, 82.29A.140, 82.32.030, 82.32.033, 82.32.045, 82.32.050, 82.32.070, 82.32.090, 82.32.110, 82.32.120, 82.32.140, 82.32.200, 82.32.215, 82.32.220, 82.32.230, 82.32.240, 82.32.260, 82.32.270, 82.32.300, 82.32.310, 82.32.320, 82.32.330, 82.32.340, 82.32.360, 82.32.394, 82.32.410, 82.32.532, 82.32.533, 82.32.580, 82.32.785, 82.32.790, 82.32.900, 82.32A.005, 82.32A.010, 82.32A.020, 82.32A.030, 82.32A.050, 82.33.040, 82.34.010, 82.45.035, 82.45.090, 82.45.100, 82.45.180, 82.48.020, 82.49.010, 82.49.040, 82.49.050, 82.49.080, 82.60.020, 82.60.080, 82.62.010, 82.62.060,

82.63.010, 82.66.010, 82.73.010, 82.74.010, 82.75.010, 82.80.010, 82.80.110, 82.80.120, 82.82.010, 83.100.160, 84.04.047, 84.08.010, 84.08.020, 84.08.030, 84.08.040, 84.08.050, 84.08.060, 84.08.070, 84.08.080, 84.08.120, 84.08.140, 84.08.190, 84.12.220, 84.12.230, 84.12.240, 84.12.250, 84.12.260, 84.12.270, 84.12.300, 84.12.310, 84.12.330, 84.12.340, 84.12.350, 84.12.360, 84.12.370, 84.12.390, 84.14.020, 84.16.010, 84.16.020, 84.16.030, 84.16.032, 84.16.034, 84.16.036, 84.16.040, 84.16.050, 84.16.090, 84.16.100, 84.16.110, 84.16.120, 84.16.130, 84.25.040, 84.26.040, 84.26.080, 84.33.051, 84.33.074, 84.33.075, 84.33.0775, 84.33.086, 84.33.091, 84.33.200, 84.34.030, 84.34.041, 84.34.065, 84.34.141, 84.34.145, 84.34.160, 84.36.037, 84.36.041, 84.36.049, 84.36.255, 84.36.260, 84.36.264, 84.36.310, 84.36.383, 84.36.385, 84.36.387, 84.36.389, 84.36.400, 84.36.590, 84.36.630, 84.36.635, 84.36.640, 84.36.660, 84.36.812, 84.36.813, 84.36.815, 84.36.820, 84.36.830, 84.36.835, 84.36.840, 84.36.850, 84.36.860, 84.36.865, 84.37.070, 84.38.020, 84.38.050, 84.38.100, 84.38.110, 84.38.180, 84.40.025, 84.40.038, 84.40.040, 84.40.065, 84.40.190, 84.40.320, 84.40.340, 84.40.405, 84.41.041, 84.41.060, 84.41.070, 84.41.080, 84.41.090, 84.41.110, 84.41.120, 84.41.130, 84.44.090, 84.48.010, 84.48.014, 84.48.032, 84.48.042, 84.48.046, 84.48.050, 84.48.075, 84.48.080, 84.48.130, 84.48.200, 84.52.043, 84.52.0502, 84.52.063, 84.52.065, 84.55.060, 84.55.100, 84.56.025, 84.56.290, 84.56.440, 84.64.050, 84.68.120, 84.68.130, 84.68.140, 84.69.050, 84.69.100, 84.72.010, 84.72.020, 84.72.030, 88.02.370, 88.02.420, 88.02.570, 88.26.020, 89.08.440, 90.76.010, and 90.76.020; reenacting and amending RCW 11.08.160, 19.80.005, 28B.145.040, 63.29.010, 82.26.010, 82.32.235, 82.33.020, 82.45.150, 83.100.020, 84.12.200, 84.34.310, 84.34.360, and 84.48.120; creating a new section; and providing effective dates.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5926 by Senators Hobbs, King, Takko and Zeiger

AN ACT Relating to the creation of a statewide regulatory structure for transportation network companies; amending RCW 19.182.040 and 46.72.010; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 46 RCW.

Referred to Committee on Transportation.

SB 5927 by Senators Saldaña, King, Hobbs and Hasegawa

AN ACT Relating to modifying the definition of retail car rental for the purposes of chapter 82.08 RCW in order to create tax equity; and amending RCW 82.08.011.

Referred to Committee on Ways & Means.

SB 5928 by Senator Hasegawa

AN ACT Relating to eliminating the prohibition on local net income taxes if certain revenue neutrality requirements are met; adding a new section to chapter 36.65 RCW; and repealing RCW 36.65.030.

Referred to Committee on Ways & Means.

SB 5929 by Senators Keiser, Saldaña, Hasegawa, Walsh and Das

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AN ACT Relating to exempting the disclosure of names in employment investigation records; amending RCW 42.56.250; and creating a new section.

MOTION

Referred to Committee on State Government, Tribal Relations & Elections.

On motion of Senator Liias, the Senate advanced to the seventh order of business.

SB 5930 by Senators Randall, Lovelett, Liias, Nguyen, Wilson, C., Palumbo, Sheldon and Mullet

AN ACT Relating to creating Seattle Storm special license plates to fund youth leadership and sports programs; amending RCW 46.18.200, 46.17.220, and 46.68.420; and providing an effective date.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Referred to Committee on Transportation.

Senator Randall moved that Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, be confirmed as a member of the University of Washington Board of Regents.

Senator Randall spoke in favor of the motion.

SB 5931 by Senator Becker

AN ACT Relating to creating the nurse educator incentive grant program; and adding a new section to chapter 28B.50 RCW.

APPOINTMENT OF KAITLYN ZHOU

Referred to Committee on Higher Education & Workforce Development.

The President Pro Tempore declared the question before the Senate to be the confirmation of Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, as a member of the University of Washington Board of Regents.

SB 5932 by Senator Becker

AN ACT Relating to salaries for faculty at community and technical colleges; amending RCW 28B.52.035; and creating a new section.

The Secretary called the roll on the confirmation of Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Referred to Committee on Higher Education & Workforce Development.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

SB 5933 by Senator Mullet

AN ACT Relating to base compensation hours for teachers; amending RCW 28A.400.200 and 41.59.105; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

SB 5934 by Senator Ericksen

AN ACT Relating to improving affordability in K-12 school construction; and amending RCW 39.12.020.

Referred to Committee on Labor & Commerce.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

SB 5935 by Senator Ericksen

AN ACT Relating to complete equity in Washington state; amending RCW 28B.20.744, 39.10.430, 39.10.450, and 49.04.100; adding a new section to chapter 49.60 RCW; creating new sections; repealing RCW 49.60.400 and 49.60.401; providing for submission of this act to a vote of the people; and declaring an emergency.

Referred to Committee on State Government, Tribal Relations & Elections.

Senator Holy moved that Jordan Frost, Senate Gubernatorial Appointment No. 9179, be confirmed as a member of the Board of Regents, Washington State University.

Senator Holy spoke in favor of the motion.

APPOINTMENT OF JORDAN FROST

The President Pro Tempore declared the question before the Senate to be the confirmation of Jordan Frost, Senate Gubernatorial Appointment No. 9179, as a member of the Board of Regents, Washington State University.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5927 which had been designated to the Committee on Transportation and was referred to the Committee on Ways & Means.

The Secretary called the roll on the confirmation of Jordan Frost, Senate Gubernatorial Appointment No. 9179, as a member of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown,

Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

Jordan Frost, Senate gubernatorial Appointment No. 9179, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Mullet moved that Judy F. Kuschel, Senate gubernatorial Appointment No. 9160, be confirmed as a member of the State Investment Board.

Senators Mullet and Rivers spoke in favor of passage of the motion.

APPOINTMENT OF JUDY F. KUSCHEL

The President Pro Tempore declared the question before the Senate to be the confirmation of Judy F. Kuschel, Senate gubernatorial Appointment No. 9160, as a member of the State Investment Board.

The Secretary called the roll on the confirmation of Judy F. Kuschel, Senate gubernatorial Appointment No. 9160, as a member of the State Investment Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

Judy F. Kuschel, Senate gubernatorial Appointment No. 9160, having received the constitutional majority was declared confirmed as a member of the State Investment Board.

MOTION

On motion of Senator Lias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5339, by Senators Carlyle, Walsh, Pedersen, Wellman, Keiser, Lias, Hunt, Kuderer, Nguyen and Saldaña

Reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder.

The measure was read the second time.

MOTION

Senator Wagoner moved that the following amendment no. 030 by Senator Wagoner be adopted:

On page 4, after line 37, insert the following:

"**Sec. 2.** RCW 10.95.040 and 1981 c 138 s 4 are each amended to read as follows:

(1) If a person is charged with aggravated first degree murder and the murder occurred while the person was already serving a term of incarceration as ((defined by)) provided in RCW 10.95.020 (2) or (3), the prosecuting attorney shall forward a request for review along with all relevant materials to the death penalty review panel as provided in section 3 of this act for a determination of whether the death penalty should be sought.

(2) If a majority of the members of the death penalty review panel recommend pursuing the death penalty, the prosecuting attorney shall file written notice of a special sentencing proceeding to determine whether or not the death penalty should be imposed ((when there is reason to believe that there are not sufficient mitigating circumstances to merit leniency)).

~~((2))~~ (3) The notice of special sentencing proceeding shall be filed and served on the defendant or the defendant's attorney within thirty days after the defendant's arraignment upon the charge of aggravated first degree murder unless the court, for good cause shown, extends or reopens the period for filing and service of the notice. Except with the consent of the prosecuting attorney, during the period in which the prosecuting attorney may file the notice of special sentencing proceeding, the defendant may not tender a plea of guilty to the charge of aggravated first degree murder nor may the court accept a plea of guilty to the charge of aggravated first degree murder or any lesser included offense.

~~((3))~~ (4) If a notice of special sentencing proceeding is not filed and served as provided in this section, the prosecuting attorney may not request the death penalty.

NEW SECTION. Sec. 3. A new section is added to chapter 10.95 RCW to read as follows:

(1) A death penalty review panel is established. The panel includes the following permanent members:

(a) Four prosecuting attorneys recommended by the Washington association of prosecuting attorneys. Urban and rural areas must be equally represented among the prosecuting attorneys;

(b) The attorney general, or his or her designee; and

(c) The secretary of the department of corrections, or his or her designee.

(2) The prosecuting attorney from the county in which the murder occurred shall serve as an ad hoc member of the panel.

(3) Upon receipt of a request for review, the attorney general shall convene a meeting of the death penalty review panel. The panel shall review all materials submitted from the prosecuting attorney and any materials submitted by defense counsel and shall make a recommendation as to whether the death penalty should be sought after considering:

(a) Whether there are sufficient mitigating circumstances to merit leniency;

(b) Whether imposition of the death penalty measurably contributes to the core purposes of retribution and deterrence of capital crimes by prospective offenders; and

(c) Whether imposition of the death penalty meets the goal of fairness and consistency in the criminal justice system.

(4) The panel shall memorialize its recommendation in a

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memorandum and submit the recommendation to the prosecuting attorney of the county in which the murder occurred."

Renumber the remaining section consecutively.

On page 5, beginning on line 1, strike all of subsection (1)

Renumber the remaining subsections consecutively.

On page 1, line 4 of the title, after "10.95.030" insert "and 10.95.040"

On page 1, line 4 of the title, after "10.95.030;" insert "adding a new section to chapter 10.95 RCW;"

On page 1, line 5 of the title, after "RCW" strike "10.95.040,"

POINT OF ORDER

Senator Pedersen: "Thank you Madam President. Amendment number 30 would preserve the death penalty and is therefore inconsistent with the scope and object of the bill, which is to eliminate the death penalty. I believe that the amendment is out of order. Thank you."

Senator Wagoner: "I believe that the scope of this amendment is very narrow and does not in its intent overthrow the intent of the basic bill."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "In ruling on the point of order raised by Senator Peterson as to the scope and object of amendment no. 030 by Senator Wagoner to Senate Bill No. 5339, the President Pro Tempore finds and rules as follows: Senate Bill No. 5339 eliminates the death penalty in exactly the same manner and using the exact same language as Senate Bill No. 6052, which was passed out of this chamber on February 14, 2018. At that time, several amendments were offered that the President ruled were outside the object of that bill. In accordance with the President's previous ruling on February 14, 2018, I find amendment no. 030 to be beyond the object of the underlying bill and Senator Peterson's point is well taken."

MOTION

On motion of Senator Carlyle, the rules were suspended, Senate Bill No. 5339 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle, Pedersen, Dhingra and Conway spoke in favor of passage of the bill.

Senators Wagoner, O'Ban, Ericksen, Padden and Sheldon spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5339.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5339 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Walsh, Warnick, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Hobbs, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner and

Zeiger

Excused: Senators Fortunato and Wilson, L.

SENATE BILL NO. 5339, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5010, by Senators Rolfes, Van De Wege and Ranker

Concerning protected lands not being assessed local fire district levies.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5010 was substituted for Senate Bill No. 5010 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5010 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5010.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5010 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Ericksen, Honeyford, Schoesler and Wagoner

Excused: Senators Fortunato and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5010, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5588, by Senators Hawkins, Palumbo, Ericksen, Van De Wege, Fortunato, Short, Billig, Hobbs, Braun, Takko, Warnick, Sheldon, Wagoner, Hunt, Das, Zeiger, Wellman, King, Nguyen, Hasegawa, Kuderer, Bailey, Rivers, Holy, Wilson, L., Padden, Walsh, Dhingra, Frockt, Keiser, Liias, O'Ban, and Wilson, C.

Authorizing the production, distribution, and sale of renewable hydrogen.

MOTIONS

On motion of Senator Hawkins, Substitute Senate Bill No.

5588 was substituted for Senate Bill No. 5588 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hawkins, the rules were suspended, Substitute Senate Bill No. 5588 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins, Carlyle, Sheldon and Palumbo spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5588.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5588 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5588, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5131, by Senators Takko, Short and Kuderer

Regarding foreclosure and distraint sales of manufactured/mobile or park model homes.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 5131 was substituted for Senate Bill No. 5131 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Kuderer moved that the following amendment no. 008 by Senators Kuderer and Takko be adopted:

On page 3, after line 2, insert the following:

"**Sec. 2.** RCW 84.56.070 and 2015 c 95 s 8 are each amended to read as follows:

(1) The county treasurer must proceed to collect all personal property taxes after first completing the tax roll for the current year's collection.

(2) The treasurer must give notice by mail to all persons charged with personal property taxes, and if the taxes are not paid before they become delinquent, the treasurer must commence delinquent collection efforts. A delinquent collection charge for costs incurred by the treasurer may be added to the account.

(3) In the event that the treasurer is unable to collect the taxes when due under this section, the treasurer must prepare papers in distraint. The papers must contain a description of the personal property, the amount of taxes including any amounts deferred

under chapters 84.37 and 84.38 RCW that are a lien on the personal property to be distrainted, the amount of the accrued interest at the rate provided by law from the date of delinquency, and the name of the owner or reputed owner.

(a) The treasurer must without demand or notice distraint sufficient goods and chattels belonging to the person charged with the taxes to pay the same, with interest at the rate provided by law from the date of delinquency, together with all accruing costs. The treasurer must proceed to advertise the distraint by posting written notices in three public places in the county in which the property has been distrainted, including the county courthouse. The notice must state the time when and place where the property will be sold.

(b) The county treasurer, or the treasurer's deputy, must tax the same fees for making the distraint and sale of goods and chattels for the payment of taxes as are allowed by law to sheriffs for making levy and sale of property on execution. Traveling fees must be computed from the county seat of the county to the place of making distraint.

(c) If the taxes for which the property is distrainted, and the interest and costs accruing thereon, are not paid before the date appointed for the sale, which may not be less than ten days after the taking of the property, the treasurer or treasurer's designee must proceed to sell the property at public auction, or so much thereof as is sufficient to pay the taxes and any amounts deferred under chapters 84.37 and 84.38 RCW that are a lien on the property to be sold, with interest and costs. If there is any excess of money arising from the sale of any personal property, the treasurer must pay the excess less any cost of the auction to the owner of the property so sold or to his or her legal representative.

(d) If necessary to distraint any standing timber owned separately from the ownership of the land upon which the same may stand, or any fish trap, pound net, reef net, set net, or drag seine fishing location, or any other personal property as the treasurer determines to be incapable or reasonably impracticable of manual delivery, it is deemed to have been distrainted and taken into possession when the treasurer has, at least thirty days before the date fixed for the sale thereof, filed with the auditor of the county wherein the property is located a notice in writing reciting that the treasurer has distrainted the property. The notice must describe the property, give the name of the owner or reputed owner, the amount of the tax due, with interest, and the time and place of sale. A copy of the notice must also be sent to the owner or reputed owner at his or her last known address, by registered letter at least thirty days prior to the date of sale.

(e) If the county treasurer has reasonable grounds to believe that any personal property, including mobile homes, manufactured homes, or park model trailers, upon which taxes have been levied, but not paid, is about to be removed from the county where the property has been assessed, or is about to be destroyed, sold, or disposed of, the county treasurer may demand the taxes, without the notice provided for in this section, and if necessary distraint sufficient goods and chattels to pay the same.

(4) As an alternative to the sale procedure specified in this section, the county treasurer may conduct a public auction sale by electronic media pursuant to RCW 36.16.145."

On page 1, line 3 of the title, after "46.12.700" insert "and 84.56.070"

Senators Kuderer and Short spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 008 by Senators Kuderer and Takko on page 3, after line 2 to Substitute Senate Bill No. 5131.

The motion by Senator Kuderer carried and amendment no.

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008 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 5131 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5131.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5131 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5036, by Senators Conway and Takko

Concerning the compensation of commissioners of certain metropolitan park districts.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5036 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5036.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5036 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Ericksen, Honeyford, Padden, Rivers, Schoesler and Wagoner

Excused: Senators Fortunato and Wilson, L.

SENATE BILL NO. 5036, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, C., Senator Palumbo was excused.

SECOND READING

SENATE BILL NO. 5581, by Senators Rolfes, Braun, Carlyle, Keiser and Saldaña

Improving the effectiveness and adequacy of state tax laws by clarifying and simplifying nexus provisions, by decreasing compliance and administrative burdens for taxpayers and the department of revenue, by facilitating the collection of new tax revenue resulting from the United States supreme court's decision in *South Dakota v. Wayfair, Inc.*, by providing more consistent tax obligations for both domestic and foreign sellers, and by simplifying the expiration of sales tax sourcing mitigation payments to local governments on September 30, 2019.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5581 was substituted for Senate Bill No. 5581 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5581 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5581.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5581 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 13; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, O'Ban, Padden, Rivers, Short, Warnick and Zeiger

Excused: Senators Fortunato, Palumbo and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5581, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McCoy announced a meeting of the Democratic Caucus at 12:00 noon.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

MOTION

At 11:45 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Monday, February 18, 2019.

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